



BOSE McKINNEY & EVANS LLP

CUSTOMER NUMBER 25267

2700 First Indiana Plaza
135 North Pennsylvania Street
Indianapolis, Indiana 46204
(317) 684-5000

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott Simmonds, et al.

Group: 3673

Invention: **BED SIDERAIL
HAVING A LATCH**

Examiner: Robert G. Santos

Serial No.: 10/811,182

Atty. Docket: 8266-1263

Filed: March 26, 2004

CERTIFICATE OF MAILING TO COMMISSION OF PATENTS AND TRADEMARKS

Date of Mailing: May 19, 2006

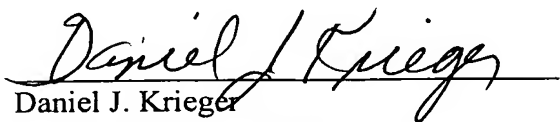
I certify that documents listed below

- Part B Fee(s) Transmittal (1 page) (in duplicate)
- Comments on Reasons for Allowance (2 pages)
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Respectfully submitted,

BOSE McKINNEY & EVANS LLP



Daniel J. Krieger
Registration No. 33,600

Indianapolis, Indiana
(317) 684-5000

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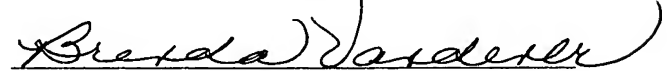
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Certificate Under 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **MAIL STOP ISSUE FEE**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

on May 19, 2006



Brenda L. Vandever

Dated: May 19, 2006

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants gratefully acknowledge the Examiner's Notice of Allowability of claims 1 4-8, 12, 13, 19-21, 25, 30, 31 and 33 mailed February 28, 2006. However, the following comments are considered necessary by the Applicants.

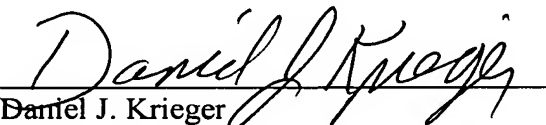
Applicants respectfully note that the Examiner's statements beginning at page 2, paragraph 1 of the Examiner's Amendment mailed February 28, 2006, states that dependent claims 3, 5, 7, 8, 12, 14, 19, 21, 25, 20 and 33 were indicated as containing allowable subject matter in the Office Action of November 1, 2005. Applicants believe this statement to be incorrect as the Office Action of November 1, 2005, page 6, paragraph 7 state that claims 3-8, 12, 14, 19-21, 25, 30, 31, and 33 would be allowable if written in independent form including all of the limitations of the base claim and any intervening claims. In addition, Applicants respectfully note that the statements on that page do not apply to all of the allowed claims.

For instance, not all of the allowed claims include all of the limitations mentioned by the Examiner. Accordingly, each allowed claim is to be interpreted based on its own claim language and may be allowable for other reasons.

If any question or comment should arise during the course of consideration of this paper, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,

BOSE McKINNEY & EVANS LLP


Daniel J. Krieger
Registration No. 33,600

Indianapolis, Indiana
(317) 684-5000
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